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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,673	11/19/2001	Tsuyoshi Hirashima	M2047-29	5847

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EXAMINER

REFAJ, RAMSEY

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/992,673

Applicant(s)

HIRASHIMA ET AL.

Examiner

Ramsey Refai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 01/12/04, 01/31/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-30 are presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8 recites the limitation "said input" in line 3 and "said color converting method" I line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Fields et al (U.S. Patent No. 6,581,109).

6. As per claim 1, Fields et al teach a stored image delivery method for delivering a stored image via a network in response to a request from a receiving terminal, comprising:

acquiring information concerning color properties of said receiving terminal (**column 2, lines 10-42, Figures 4-5, and abstract**);

color-converting said stored image into an image in accordance with said color properties of said receiving terminal based on said acquired information (**column 2, lines 10-42 and abstract**); and

delivering said color-converted stored image to said receiving terminal (**column 5, lines 55-57, column 2, 10-42, and Figure 3, 72**).

7. As per claim 16, it contains similar limitations as claim 1 above, therefore is rejected under the same rationale.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2-15 and 18-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al (U.S. Patent 6,581,109) in view of Tso et al (U.S. Patent No. 6,421,733).

10. As per claim 2, Fields et al teach a stored image delivery method, comprising:

receiving stored image selection information and receiving terminal attribute information from a WWW server (**column 2, lines 10-42**);

using an output profile corresponding to said attribute information of said receiving terminal to convert a stored image into a converted image in accordance with color properties of said receiving terminal (**column 2, lines 10-53**).

11. Fields et al fails to teach storing said converted image in a cache; and notifying said WWW server of one of either positional information of said converted image stored in said cache or positional information of an HTML file linked with said converted image.

12. However Tso et al teach storing transcoded versions of the request page in a server-side cache memory (**column 3, line 65 – column 4, line 5**) and stores information about cached documents and retrieves objects from a server-side cache memory that can store several different versions of an object to support clients with different capabilities (**column 5, lines 19-51 and column 6, lines 9-24**). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Fields et al and Tso et al because Tso et al's use of server-side cache memory and cache information regarding converted image in Fields et al method would allow for a server to locate converted images stored in a cache for quick access.

13. As per claim 3, Fields et al teach an output profile includes at least one combined attribute selected from the group consisting of colorimetric value, gamma coefficient, single-dimensional lookup table, three-dimensional lookup table, illumination information, color

coordinate system converting equation, and output device ID (**column 2, lines 10-53, column 4, lines 47-67, and Figures 4-5**).

14. As per claims 4 and 5, Fields et al fail to teach an image that has already been color-converted and stored in said cache is diverted and color conversion is omitted.

15. However, Tso et al teach a server-side cache memory that stores transcoded versions of content for later transmission to a network client without the need to re-retrieve the content from the internet or to re-transcode the content (**column 3, line 65 – column 4, line 5**). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Fields et al and Tso et al because Tso et al's use of server-side cache memory and cache information regarding converted image in Fields et al method would allow for a server to locate converted images stored in a cache for quick access.

16. As per claim 6, Fields et al teach wherein said receiving terminal uses attribute information that has been saved in said receiving terminal during previous access to said WWW server (**column 2, lines 10 – 42**).

17. As per claim 7, Fields et al teach attribute information of said receiving terminal describes an actual type of said receiving terminal itself, said actual type being selected from a list in an HTML file that said receiving terminal has downloaded from said WWW server (**column 2, line 54 – 5 and column 8, lines 40-43**).

18. As per claim 8, Fields et al teach comparing a device color reproduction range of said input device that has created said stored image with a terminal color reproduction range of said receiving terminal; and switching said color converting method (**column 2, lines 10-42**) .

19. As per claim 17, Fields et al teach a stored image delivery device comprising:

a WWW server (**Figure 1, 20 and column 3, lines 55-65**);

an image recording means for recording an image to be stored (**column 5, lines 45-57 and column 4, lines 47-67**);

an output profile recording means for recording an output profile corresponding to attribute information of a receiving terminal (**column 2, lines 10-42 and column 35-**);

a color converting means for converting said image into a converted image in accordance with color properties of said receiving terminal and outputting said converted image (**column 4, lines 10-35, abstract and column 2, lines 10-53**); and

a server input/output control means, which receives stored image selection information and receiving terminal attribute information from said WWW server, outputs said stored image selection information and said receiving terminal attribute information to said color converting means (**column 2, lines 10-53, and column 5, lines 29-67**).

20. Fields et al fails to teach storing said converted image in an output image cache; and notifying said WWW server of one of either positional information of said converted image stored in said cache or positional information of an HTML file linked with said converted image.

21. However Tso et al teach storing transcoded versions of the request page in a server-side cache memory (**column 3, line 65 – column 4, line 5**) and stores information about cached

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documents and retrieves objects from a server-side cache memory that can store several different versions of an object to support clients with different capabilities (**column 5, lines 19-51 and column 6, lines 9-24**). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Fields et al and Tso et al because Tso et al's use of server-side cache memory and cache information regarding converted image in Fields et al method would allow for a server to locate converted images stored in a cache for quick access.

22. As per claims 9-15 and 18-30, they contain similar limitations as claim 1 above, therefore are rejected under the same rationale.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Bakishi et al (U.S. Patent No. 6,345,300)
- b. Yoo et al (U.S. Patent No. 6,598,091)
- c. Mighdoll et al (U.S. Patent No. 6,662,218)
- d. Moriya et al (U.S. Patent No. 6,345,298)
- e. Ishida et al (U.S. Patent No. 6,714,204)
- f. Mogul (U.S. Patent No. 6,704,798)
- g. Rubin et al (U.S. Patent No. 6,721,804).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramsey Refai
Examiner
Art Unit 2154

RR
January 13, 2005

 JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
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